

DOCKET NO. :79.US3.PCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Graeme Semple, Thomas Schrader, Philip J. Skinner, Steven L. Colletti, Tawfik Gharbaoui, Jason E. Imbriglio, Jae-Kyi Jung, Rui Liang, Subharekha Raghavan, Darby Schmidt and James R. Tata

For: TETRAZOLE DERIVATIVES AND METHODS OF TREATMENT OF METABOLIC-RELATED DISORDERS THEREOF

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for the following type of application:

*(check one applicable item below)*

- |   |  |
|---|--|
| <input type="checkbox"/> Original             | <input type="checkbox"/> Divisional                            |
| <input type="checkbox"/> Continuation         | <input checked="" type="checkbox"/> U.S. National Stage of PCT |
| <input type="checkbox"/> Continuation-in-Part |  |

My residence, post office address and citizenship are as stated below next to my name; and I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

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|--|--|
| <input checked="" type="checkbox"/> Utility Patent | <input type="checkbox"/> Design Patent |
|--|--|

is sought on the invention, whose title appears above, the specification of which:

- |   |
|---|
| <input type="checkbox"/> is attached hereto   |
| <input type="checkbox"/> was filed on _____, as U.S. Serial Number _____.   |
| _____ and was amended on _____ <i>(if applicable)</i>   |
| <input checked="" type="checkbox"/> was described and claimed in PCT International Application Number <u>PCT/US04/35927</u> , filed on <u>29 October 2004</u> . |

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

**DISCLOSURE AND/OR CLAIM FOR PRIORITY UNDER  
35 U.S.C. §§ 119(a)-(d) OF FOREIGN APPLICATIONS  
FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN)  
OF THIS APPLICATION**

I hereby claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) of any foreign applications for patent, inventor's certificate or PCT international application designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's certificate or any PCT international application designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

| Country<br>(or indicate if PCT) | Application<br>Number | Date of Filing<br>(day, month, year) | Priority Claimed<br>Under 35 USC 119a-e                             |
|---------------------------------|-----------------------|--------------------------------------|---|
| PCT                             | PCT/US04/35927        | 29 October 2004                      | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|                                 |                       |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                 |                       |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |
|                                 |                       |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No            |

**DISCLOSURE OF FOREIGN APPLICATION(S) IF ANY,  
FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN)  
PRIOR TO THE FILING OF THIS APPLICATION**

| Country (or indicate if PCT) | Application<br>Number | Date of Filing<br>(day, month, year) |
|------------------------------|-----------------------|--------------------------------------|
|                              |                       |                                      |
|                              |                       |                                      |
|                              |                       |                                      |
|                              |                       |                                      |

**CLAIM FOR PRIORITY OF UNITED STATES APPLICATIONS  
OR PCT APPLICATIONS FILED  
IN THE UNITED STATES RECEIVING OFFICE  
UNDER 35 U.S.C. §120**

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| <b>Application No.</b> | <b>Date Filed</b> | <b>Status<br/>Patented/Pending/Abandoned</b> |
|------------------------|-------------------|--|
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**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

| <b>Provisional Application Number</b> | <b>Filing Date</b> |
|---------------------------------------|--------------------|
|                                       |                    |
|                                       |                    |
|                                       |                    |
|                                       |                    |

**POWER OF ATTORNEY**

I hereby appoint all the practitioners associated with Customer Number 35133 (which is the Customer Number assigned to Cozen O'Connor to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 35133 is an attorney registered before the United States Patent and Trademark Office.

**Address all correspondence and maintenance fee correspondence to the address identified in Customer No. 35133 which is assigned to Cozen O'Connor, 1900 Market Street, Philadelphia, PA 19103.**

**Direct all telephone calls to: Christine A. Goddard**

**Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
Telephone No.: (215) 665-2000  
Facsimile No.: (215) 665-2013**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-6 Full name of sole or first joint inventor

Graeme

(Given Name)

(Middle Initial or Name)

Semple

Family (or last name)

City/State of Actual Residence: San Diego, California CA

Mailing Address: 15920 Camino Codorniz, San Diego, California 92127

Country of Citizenship: United Kingdom

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2-0  
Full name of second joint inventor

Thomas

(Given Name)

(Middle Initial or Name)

Schrader

Family (or last name)

City/State of Actual Residence: La Jolla, California CA

Mailing Address: 8526 Villa La Jolla Drive, No. 147, La Jolla, California 92037

Country of Citizenship: United States of America

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

3-00  
Full name of third joint inventor

Philip

(Given Name)

J.

(Middle Initial or Name)

Skinner

Family (or last name)

City/State of Actual Residence: San Diego, California CA

Mailing Address: 1222 Oliver Avenue, No. 2, San Diego, California 92109

Country of Citizenship: United Kingdom

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

40  
**Full name of fourth joint inventor**

Steven  
(Given Name)

L.  
(Middle Initial or Name)

Colletti  
Family (or last name)

**City/State of Actual Residence:** Princeton Junction, New Jersey NJ

**Mailing Address:** 3 Borosko Place, Princeton Junction, New Jersey 08550

**Country of Citizenship:** United States of America

**Inventor's signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

5-0  
Full name of fifth joint inventor

Tawfik

(Given Name)

(Middle Initial or Name)

Gharbaoui

Family (or last name)

City/State of Actual Residence: Escondido, California

Mailing Address: 2340 Lomica Place, Escondido, California 92029

Country of Citizenship: Morocco

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

6-00  
**Full name of sixth joint inventor**

Jason

*(Given Name)*

E.

*(Middle Initial or Name)*

Imbriglio

*Family (or last name)*

**City/State of Actual Residence:** Piscataway, New Jersey

**Mailing Address:** 280 River Road, Apartment 69B, Piscataway, New Jersey 08854

**Country of Citizenship:** United States of America

**Inventor's signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of seventh joint inventor**Jae-Kyi*(Given Name)*  
*(Middle Initial or Name)*Jung*Family (or last name)***City/State of Actual Residence:** San Diego, California**Mailing Address:** 16478 Camelas Walk, San Diego, California 92127**Country of Citizenship:** Korea**Inventor's signature:** \_\_\_\_\_**Date:** \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

8-0  
**Full name of eighth joint inventor**

Rui

(Given Name)

\_\_\_\_\_  
(Middle Initial or Name)

Liang

\_\_\_\_\_  
Family (or last name)

**City/State of Actual Residence:** East Brunswick, New Jersey NJ

**Mailing Address:** 4 Schindler Court, East Brunswick, New Jersey 08816

**Country of Citizenship:** United States of America

**Inventor's signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

9-0  
**Full name of ninth joint inventor**

Subharekha

(Given Name)

(Middle Initial or Name)

Raghavan

Family (or last name)

**City/State of Actual Residence:** Teaneck, New Jersey NJ

**Mailing Address:** 900 Perry Lane, Teaneck, New Jersey 07666

**Country of Citizenship:** United States of America

**Inventor's signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

10-02  
**Full name of tenth joint inventor**

Darby

*(Given Name)*

*(Middle Initial or Name)*

Schmidt

*Family (or last name)*

**City/State of Actual Residence:** Clark, New Jersey

**Mailing Address:** 25 Dawn Drive, Clark, New Jersey 07066

**Country of Citizenship:** United States of America

**Inventor's signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11-00 Full name of eleventh joint inventor

James

(Given Name)

R.

(Middle Initial or Name)

Tata

Family (or last name)

City/State of Actual Residence: Westfield, New Jersey *ALJ*

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Country of Citizenship: United States of America

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_